

Application

City of Key West, Florida • Planning Department
1300 White Street • Key West, Florida 33040 • 305-809-3764
www.cityofkeywest-fl.gov

Any Major or Minor Development Plan returned to the Planning Board after initial approval will require a new application fee equivalent to one-half of the current fee schedule

Application - Development Plan & Conditional Use

City of Key West, Florida • Planning Department
1300 White Street • Key West, Florida 33040 • 305-809-3764
www.cityofkeywest-fl.gov

9) Owner Phone #: 305-296-0458 Email: _____

10) Zoning District of Parcel: HNC-1 RE# 00004140-000000

11) Is Subject Property located within the Historic District? Yes X No _____

If Yes: Date of approval _____

HARC approval # _____

OR: Date of meeting _____

12) Description of Proposed Development and Use. Please be specific, list existing and proposed buildings and uses, number of dwelling units, parking, restaurant seats, vehicles proposed, etc. If there is more than one use, describe in detail the nature of each use (Give concise description here and use a separate sheet if necessary).

Courtyard assembly area for small groups attending various artist programs, demonstrations, classes, presentations and other similar activities

13) Has subject Property received any variance(s)? Yes _____ No X Requested

If Yes: Date of approval _____ Resolution # _____

Attach resolution(s).

14) Are there any easements, deed restrictions or other encumbrances on the subject property?

Yes _____ No X

If Yes, describe and attach relevant documents.

A. For both *Conditional Uses* and *Development Plans*, provide the information requested from the attached **Conditional Use and Development Plan** sheet.

B. For *Conditional Uses* only, also include the **Conditional Use Criteria** required under Chapter 122, Article III, Sections 122-61 and 122-62 of the Land Development Regulations (see attached copy of criteria).

C. For *Major Development Plans* only, also provide the **Development Plan Submission Materials** required under Chapter 108, Article II, Division 7, Sections 108-226 through 108-248 of the Land Development Regulations (see attached copy of criteria) and any additional information as determined by the Planning Staff.

D. For both *Conditional Uses* and *Development Plans*, one set of plans MUST be signed & sealed by an Engineer or Architect.

SPOTTSWOOD, SPOTTSWOOD, SPOTTSWOOD & STERLING, PLLC

ATTORNEYS AND COUNSELORS AT LAW
500 FLEMING STREET
KEY WEST, FLORIDA 33040

JOHN M. SPOTTSWOOD, JR.
ERICA HUGHES STERLING
ROBERT A. SPOTTSWOOD, JR.
RICHARD J. McCHESNEY

Telephone | 305-294-9556
Facsimile | 305-504-2696

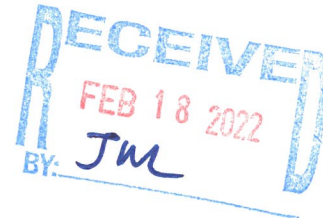
OF COUNSEL:

JOHN M. SPOTTSWOOD (1920 – 1975)
ROBERT A. SPOTTSWOOD of Counsel
WILLIAM B. SPOTTSWOOD of Counsel
WILLIAM B. SPOTTSWOOD, JR. of Counsel

February 18, 2022

VIA HAND DELIVERY AND
ELECTRONIC MAIL

Katie Halloran, Planning Director
City of Key West Planning Department
1300 White Street
Key West, Florida 33040



RE: Conditional Use – Civic and Cultural Activities
529 Eaton Street, Key West, Florida 33040

Dear Ms. Halloran,

Please allow this letter and supporting documentation to serve as my client's, The Studios of Key West, Inc., ("Applicant"), application for Conditional Use for Cultural and Civic Activities located at 529 Eaton Street, Key West, Florida 33040 (the "Property") located in the Historic Neighborhood Commercial ("HNC-1") Zoning District. This Conditional Use request applies to Code Sec. 122-808(3) and will allow The Studios of Key West to use the Property to host small events, talks, classes, and other similar happenings.

By way of background, the Applicant purchased the Property which was previously known as "The Carriage Trade House" that was used as transient lodging, a hair salon, and commercial kitchen/restaurant. The Applicant uses the property to house visiting artists and as a transient rental. The courtyard, previously used for restaurant seating, allows for small group gatherings where art programs and/or demonstrations can be held, book readings and artist speaking engagements and small performances.

Conditional Use Criteria Section 122-61 and 122-62:

A. Findings:

The Planning Board may find that the application meets the Code purpose of ensuring that “a conditional use shall only be permitted on specific sites where the proposed use may be adequately accommodated without generating adverse impacts on properties and land uses within the immediate vicinity.”

B. Characteristics of use described

1. **Scale and intensity of the proposed conditional use as measured by the following:**
 - a. **Floor area ratio:** Unchanged.
 - b. **Traffic generation:** As an accessory use to the principal use, it is unlikely that the proposed use will generate any additional vehicle traffic above and beyond the current allowable traffic demands and intensity.
 - c. **Square feet of enclosed building for each specific use:** The square footage is indicated on the enclosed plans.
 - d. **Proposed employment:** Not applicable.
 - e. **Proposed number and type of service vehicles:** Applicant is not proposing any service vehicles.
 - f. **Off-street parking needs:** Additional parking not required.
2. **On or off-site improvement needs generated by the proposed conditional use and not identified on the list in subsection (b)(1) of this section including the following:**
 - a. **Utilities:** The property has adequate utilities to support the proposed use.
 - b. **Public facilities, especially any improvements required to ensure compliance with concurrency management as provided in chapter 94:** Not applicable.
 - c. **Roadway or signalization improvements, or other similar improvements:** Not applicable.
 - d. **Accessory structures or facilities:** Not applicable.
 - e. **Other unique facilities/structures proposed as part of site improvement:** None.
3. **On-site amenities proposed to enhance site and planned improvements. Amenities including mitigative techniques such as:**
 - a. **Open space:** Open space is being improved.
 - b. **Setbacks from adjacent properties:** Not applicable to this application. Activities taking place in the side courtyard is adjacent to the property also owned by The Studios of Key West.
 - c. **Screening and buffers:** Not applicable.
 - d. **Landscaped berms proposed to mitigate against adverse impacts to adjacent sites:** Open space, impervious surface ratio and building coverage are all being improved.
 - e. **Mitigative techniques for abating smoke, odor, noise, and other noxious impacts:** The proposed uses do not seem to create any issues that would require mitigation. However, the Applicant is willing to entertain mitigative techniques should they be warranted.

C. Criteria for conditional use review and approval

1. **Land use compatibility:** The conditional use as accessory cultural and civic activities is compatible with the surrounding area in that the neighborhood contains multiple, theatres, bars, churches and other gathering/assembly types of uses. The neighborhood is also made up of commercial and transient/residential uses and is heavily tourist-oriented with pedestrian traffic.
2. **Sufficient site size, adequate site specifications, and infrastructure to accommodate the proposed use:** The size and shape of the site are more than adequate to accommodate the proposed scale and intensity of the conditional use requested. As an accessory use, the Applicant feels that all infrastructure currently exists to support the proposed use.
3. **Proper use of mitigative techniques:** Not applicable.
4. **Hazardous Waste:** No materials that contain hazardous waste will be used in connection with the proposed use.
5. **Compliance with applicable laws and ordinances:** The Applicant will comply with all applicable laws and regulations as a condition of approval.
6. **Additional criteria applicable to specific land uses**
 - a. **Land uses within a conservation area:** Not applicable. This site is not located within a conservation area.
 - b. **Residential development:** Not applicable. This application does not contemplate residential development.
 - c. **Commercial or mixed-use development:**
 - d. **Development within or adjacent to historic district:** This conditional use application is within the historic district. The conditional use does not require HARC approval.
 - e. **Public facilities or institutional development:** Not applicable. Public facilities or institutional development is not being proposed as part of this application.
 - f. **Commercial structures, uses and related activities within tidal waters:** Not applicable. The subject property is not located within tidal waters.
 - g. **Adult entertainment establishments:** Not applicable.

If you should have any questions, comments, or concerns, please do not hesitate to contact me.

Sincerely,



Richard McChesney

Enclosures:
As stated

Authorization Form



**City of Key West
Planning Department**

Authorization Form
(Where Owner is a Business Entity)

Please complete this form if someone other than the owner is representing the property owner in this matter.

I, JOHN E. DODDS as
Please Print Name of person with authority to execute documents on behalf of entity

EXECUTIVE DIRECTOR of THE STUDIOS OF KEY WEST
Name of office (President, Managing Member) Name of owner from deed

authorize RICHARD MCCLESNEY / SPOTSWOOD LAW OFFICE
Please Print Name of Representative

to be the representative for this application and act on my/our behalf before the City of Key West.

[Signature]
Signature of person with authority to execute documents on behalf of entity owner

Subscribed and sworn to (or affirmed) before me on this 2/17/22
Date

by JOHN E. DODDS
Name of person with authority to execute documents on behalf of entity owner

He/She is personally known to me or has presented _____ as identification.

[Signature]
Notary's Signature and Seal

Name of Acknowledger typed, printed or stamped

Commission Number, if any

Verification Form



**City of Key West
Planning Department
Verification Form**
(Where Applicant is an entity)

I, Richard McChesney, in my capacity as Member
(print name) (print position; president, managing member)
of Spottswood, Spottswood, Spottswood & Sterling
(print name of entity)

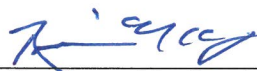
being duly sworn, depose and say that I am the Authorized Representative of the Owner (as appears on the deed), for the following property identified as the subject matter of this application:

529 Eaton Street

Street address of subject property


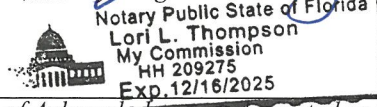
I, the undersigned, declare under penalty of perjury under the laws of the State of Florida that I am the Authorized Representative of the property involved in this application; that the information on all plans, drawings and sketches attached hereto and all the statements and answers contained herein are in all respects true and correct.

In the event the City or the Planning Department relies on any representation herein which proves to be untrue or incorrect, any action or approval based on said representation shall be subject to revocation.


Signature of Applicant

Subscribed and sworn to (or affirmed) before me on this 2/14/22 by
Richard McChesney
Name of Applicant date

He She is personally known to me or has presented _____ as identification.


Notary Signature and Seal
Notary Public State of Florida
Lori L. Thompson
My Commission
HH 209275
Exp. 12/16/2025

Name of Acknowledger typed, printed or stamped

Commission Number, if any

Property Record Card

Monroe County, FL

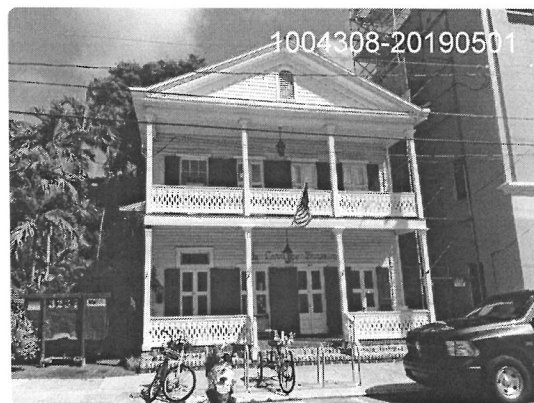
Disclaimer

The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for ad valorem tax purposes only and should not be relied on for any other purpose.

By continuing into this site you assert that you have read and agree to the above statement.

Summary

Parcel ID 00004140-000000
Account# 1004308
Property ID 1004308
Millage Group 10KW
Location 529 EATON St, KEY WEST
Address
Legal KW PT LOT 1 SQR 24 E647-675 OR45-1/4 OR49-213/16 OR96-421/30 OR756-857
Description OR756-101/02 OR936-1325/26 OR1066-2241/42 OR2437-655/56 OR2958-1208
 (Note: Not to be used on legal documents.)
Neighborhood 32040
Property STORE COMBO (1200)
Class
Subdivision
Sec/Twp/Rng 06/68/25
Affordable No
Housing



Owner

STUDIOS OF KEY WEST INC
 533 Eaton St
 Key West FL 33040

Valuation

	2021	2020	2019	2018
+ Market Improvement Value	\$399,597	\$422,431	\$422,431	\$406,334
+ Market Misc Value	\$2,964	\$2,964	\$2,975	\$2,986
+ Market Land Value	\$1,267,200	\$982,080	\$839,040	\$820,800
= Just Market Value	\$1,669,761	\$1,407,475	\$1,264,446	\$1,230,120
= Total Assessed Value	\$1,548,222	\$1,407,475	\$1,264,446	\$1,230,120
- School Exempt Value	(\$834,881)	(\$703,738)	\$0	\$0
= School Taxable Value	\$834,880	\$703,737	\$1,264,446	\$1,230,120

Land

Land Use	Number of Units	Unit Type	Frontage	Depth
(1200)	4,800.00	Square Foot	48	100

Buildings

Building ID 39287
Style
Building Type APTS-B / 03B
Gross Sq Ft 5160
Finished Sq Ft 2704
Stories 2 Floor
Condition EXCELLENT
Perimeter 404
Functional Obs 0
Economic Obs 0
Depreciation % 30
Interior Walls

Exterior Walls AB AVE WOOD SIDING
Year Built 1938
EffectiveYearBuilt 1998
Foundation
Roof Type
Roof Coverage
Flooring Type
Heating Type
Bedrooms 0
Full Bathrooms 0
Half Bathrooms 0
Grade 450
Number of Fire Pl 0

Code	Description	Sketch Area	Finished Area	Perimeter
OPX	EXC OPEN PORCH	1,020	0	0
FLA	FLOOR LIV AREA	2,704	2,704	0
OPF	OP PRCH FIN LL	180	0	0
PTO	PATIO	221	0	0
PDO	PATIO DIN OPEN	566	0	0
PDE	PTO DIN ENCL	469	0	0

TOTAL	5,160	2,704	0
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Yard Items

Description	Year Built	Roll Year	Quantity	Units	Grade
WALL AIR COND	1983	1984	1	1 UT	2
WROUGHT IRON	1984	1985	1	48 SF	2
TILE PATIO	1987	1988	1	462 SF	4

Exemptions

Exemption ↕	Amount ↕
09-A NON-PROFIT 196.196	\$100.00

Sales

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved
4/8/2019	\$1,800,000	Warranty Deed	2215030	2958	1208	30 - Unqualified	Improved
10/22/2009	\$0	Warranty Deed		2437	655	30 - Unqualified	Improved
9/1/1988	\$75,000	Warranty Deed		1066	2241	U - Unqualified	Improved

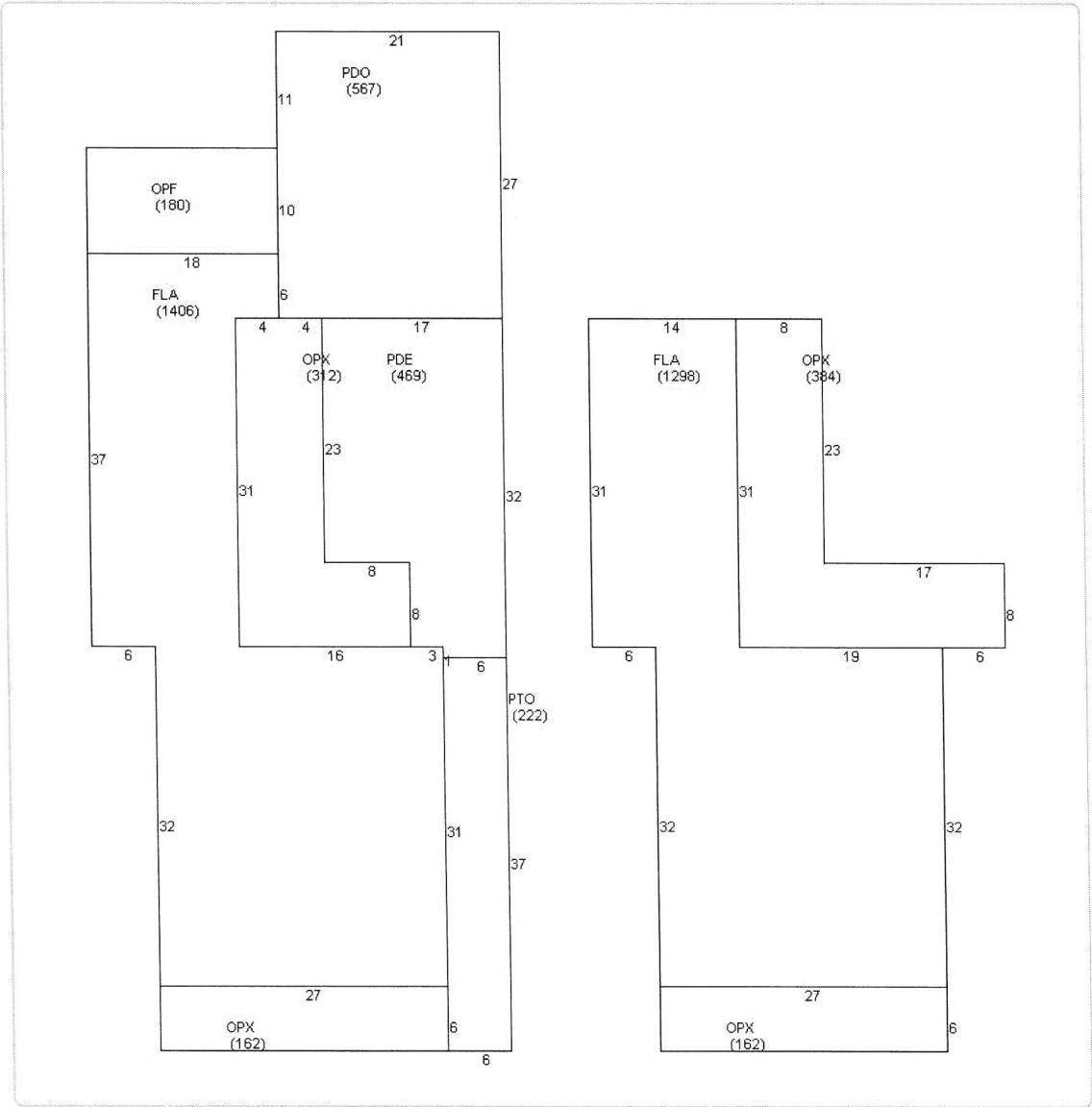
Permits

Number ↕	Date Issued ↕	Date Completed ↕	Amount ↕	Permit Type ↕	Notes ↕
9903044	12/1/1999	12/16/1999	\$1,450		ELECTRICAL
9903044	9/29/1999	11/3/1999	\$1,450		INTERIOR REMODELING
9903083	9/9/1999	11/3/1999	\$975		FASTEN TREE PLATFORM

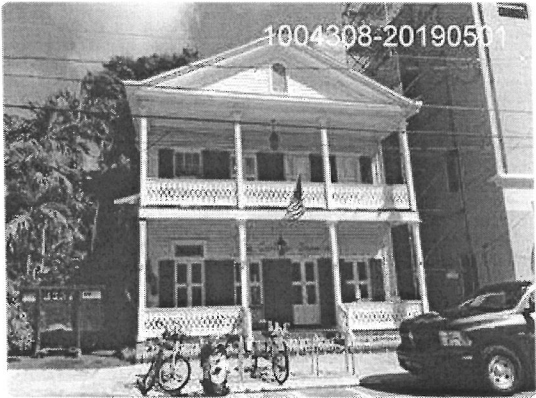
View Tax Info

[View Taxes for this Parcel](#)

Sketches (click to enlarge)



Photos



Map



TRIM Notice

2021 TRIM Notice (PDF)

2021 Notices Only

The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the

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 **Schneider**
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Version 2.3.176



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Not For Profit Corporation
THE STUDIOS OF KEY WEST, INC.

Filing Information

Document Number	N06000006886
FEI/EIN Number	20-5116495
Date Filed	06/26/2006
State	FL
Status	ACTIVE
Last Event	CANCEL ADM DISS/REV
Event Date Filed	10/06/2009
Event Effective Date	NONE

Principal Address

533 Eaton Street
KEY WEST, FL 33040

Changed: 07/16/2014

Mailing Address

533 Eaton Street
KEY WEST, FL 33040

Changed: 07/16/2014

Registered Agent Name & Address

DODDS, JOHN
533 Eaton Street
KEY WEST, FL 33040

Name Changed: 07/02/2015

Address Changed: 07/16/2014

Officer/Director Detail

Name & Address

Title President

McChesney, Richard

618 Petronia Street
Key West, FL 33040

Title Treasurer

Wormuth, Francis
1406 Petronia Street
Key West, FL 33040

Title VP

Anfinson, Eric
1616 Catherine Street
Key West, FL 33040

Title Secretary

Linder, Rita
1216 Petronia Street
Key West, FL 33040

Title VP

Odom, Harrell
620 Olivia Street
Key West, FL 33040

Annual Reports

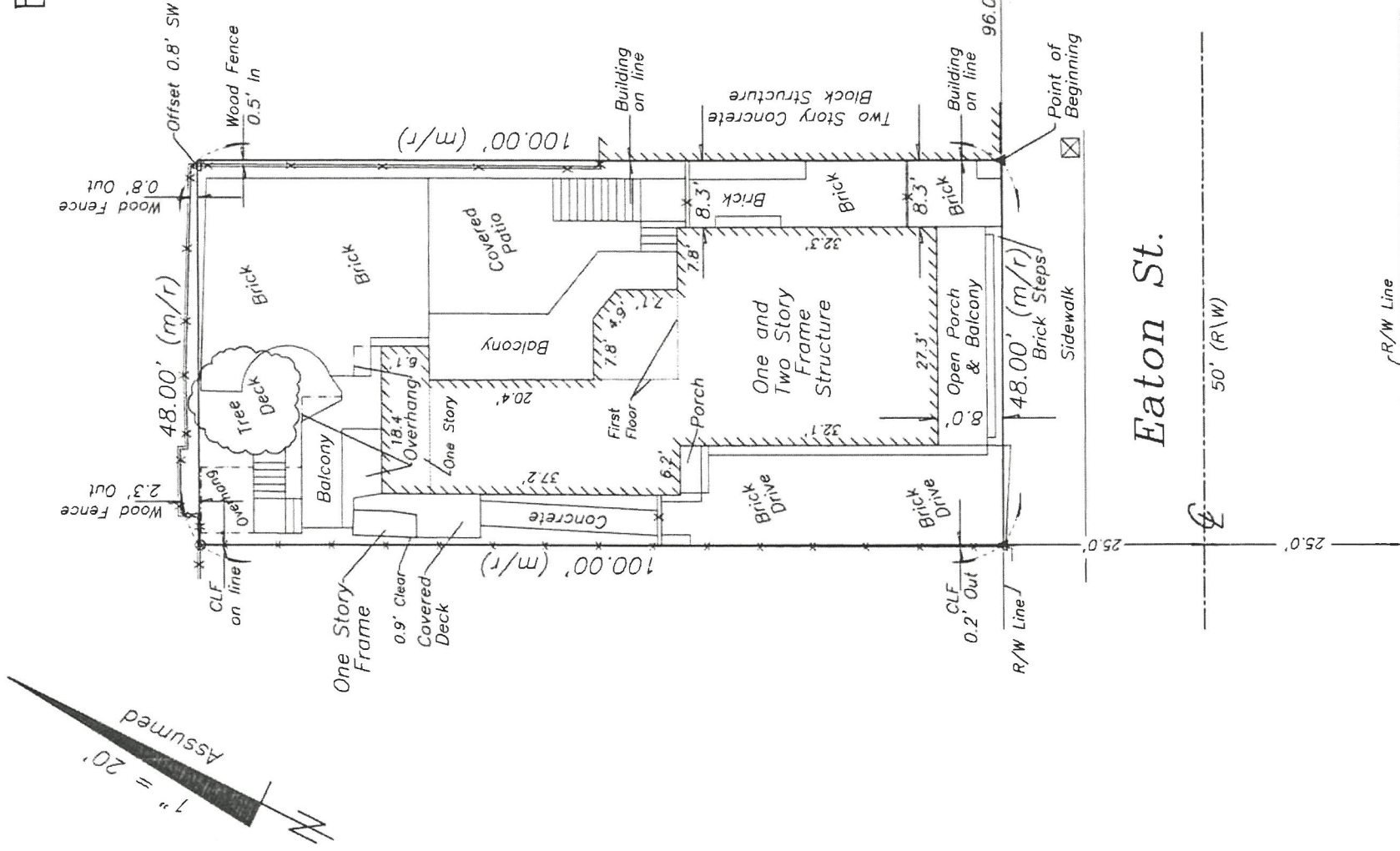
Report Year	Filed Date
2020	07/30/2020
2021	08/05/2021
2022	01/25/2022

Document Images

01/25/2022 -- ANNUAL REPORT	View image in PDF format
08/05/2021 -- ANNUAL REPORT	View image in PDF format
07/30/2020 -- ANNUAL REPORT	View image in PDF format
07/17/2019 -- ANNUAL REPORT	View image in PDF format
07/16/2018 -- ANNUAL REPORT	View image in PDF format
07/05/2017 -- AMENDED ANNUAL REPORT	View image in PDF format
04/05/2017 -- ANNUAL REPORT	View image in PDF format
07/13/2016 -- ANNUAL REPORT	View image in PDF format
07/02/2015 -- ANNUAL REPORT	View image in PDF format
07/16/2014 -- AMENDED ANNUAL REPORT	View image in PDF format
05/21/2014 -- ANNUAL REPORT	View image in PDF format
04/21/2013 -- ANNUAL REPORT	View image in PDF format
02/08/2012 -- ANNUAL REPORT	View image in PDF format
01/26/2011 -- ANNUAL REPORT	View image in PDF format
01/07/2010 -- ANNUAL REPORT	View image in PDF format

Boundary Survey

Boundary Survey Map of part
of Lot 1, Square 24
Island of Key West



LEGEND

- Found 4" Iron Pipe (Fence Post)
- Set 3/4" Iron Pipe w/cap (6298)
- Found 1/2" Iron Rod (No ID)
- Found Nail & Disc (Unreadable)
- Set Nail & Disc (6298)
- Measured
- Record
- Measured & Record
- Concrete Block Structure
- R/W Right of Way
- CLF Chain Link Fence
- Centerline
- Wood Utility Pole
- Concrete Utility Pole
- Overhead Utility Lines
- Sewer Cleanout
- Water Meter

NOTES:

- The legal description shown hereon was furnished by the client or their agent. This survey does not determine or imply ownership.
- Underground foundations and utilities were not located.
- All angles are 90° (Measured & Record) unless otherwise noted.
- Street address: 529 Eaton Street, Key West, FL.
- This survey is not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
- Lands shown hereon were not abstracted for rights-of-way, easements, ownership, or other instruments of record.
- North Arrow is assumed and based on the legal description.
- Date of field work: February 27, 2019
- Ownership of fences is undeterminable, unless otherwise noted.
- Approximate location of tree deck shown, could not access.

BOUNDARY SURVEY OF: On the Island of Key West, and known as Part of Lot 1, Square 24, according to William A. Whitehead's Map, delineated in February A.D. 1829, and more particularly described as follows:
Commencing at a point on the NW'y side of Eaton Street, and running thence along Eaton Street in a SW'y direction 48 feet; thence at right angles in a NW'y direction 100 feet; thence at right angles in a NE'y direction 48 feet; thence at right angles in a SE'y direction 100 feet to the point or place of beginning on the NW'y side of Eaton Street.

BOUNDARY SURVEY FOR: The Studios of Key West, Inc., a Florida non-profit corporation;
Carriage Trade Living Trust;
Spottswood, Spottswood, Spottswood & Sterling, PLLC;
Chicago Title Insurance Company;

I HEREBY CERTIFY that this survey was made under my responsible charge and meets the Standard of Practice as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

J. LYNN O'FLYNN, INC.

J. Lynn O'Flynn, PSM
Florida Reg. #6298

March 1, 2019

J. LYNN O'FLYNN, Inc.

Professional Surveyor & Mapper
PSM #6298

3430 Duck Ave., Key West, FL 33040
(305) 296-7422 FAX (305) 296-2244

THIS SURVEY
IS NOT
ASSIGNABLE

Deed

Doc# 2215030 04/11/2019 9:13AM
Filed & Recorded in Official Records of
MONROE COUNTY KEVIN MADOK

04/11/2019 9:13AM
DEED DOC STAMP CL: Brit \$12,600.00

Prepared by and return to:
Richard J. McChesney

Spottswood, Spottswood, Spottswood & Sterling, PLLC
500 Fleming Street
Key West, FL 33040
305-294-9556
File Number: 160-19.00044 RM
Will Call No.:

Doc# 2215030
Bk# 2958 Pg# 1208

\$1,800.000

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 8th day of April, 2019 between Dr. Joseph E. O'Lear, Individually and as Successor Trustee of the The Carriage Trade Living Trust dated October 22, 2009 whose post office address is 1631 Laird Street, Key West, FL 33040, grantor, and The Studios of Key West, Inc., a Florida not for profit corporation whose post office address is 533 Eaton Street, Key West, FL 33040, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Monroe County, Florida to-wit:

On the Island of Key West, and known as Part of Lot 1, Square 24, according to William A. Whitehead's Map, delineated in February A.D. 1829, and more particularly described as follows:

Commencing at a point on the NW'ly side of Eaton Street, distant 96 feet SW'ly from the corner of the intersection of Eaton Street and Simonton Street, and running thence along Eaton Street in a SW'ly direction 48 feet; thence at right angles in a NW'ly direction 100 feet; thence at right angles in a NE'ly direction 48 feet; thence at right angles in a SE'ly direction 100 feet to the point or place of beginning on the NW'ly side of Eaton Street.

Parcel Identification Number: 00004140-000000

Subject to taxes for 2019 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

Grantor warrants that at the time of this conveyance, the subject property hereby conveyed does not constitute the homestead of any Grantor or any beneficiary of the Trust within the meaning set forth in the Constitution of the State of Florida, and that neither any Grantor nor any beneficiary of the Trust resides on property which is contiguous or adjacent thereto.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.


And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2018.

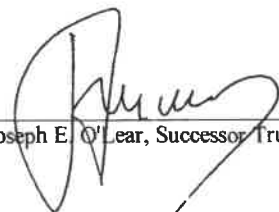
DoubleTime®

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:


Witness Name: Gregor D. Davila


Witness Name: HEIDI DAVILA


Joseph E. O'Lear, Successor Trustee

State of Florida
County of Monroe

The foregoing instrument was acknowledged before me this 8th day of April, 2019 by Joseph E. O'Lear, who ☐ is personally known or ☒ has produced a driver's license as identification.

[Notary Seal]



HEIDI E. DAVILA
MY COMMISSION # GG 010372
EXPIRES: November 11, 2020
Bonded thru Budget Notary Services


Notary Public

Printed Name: HEIDI E. DAVILA

My Commission Expires: Nov 11, 2020

MONROE COUNTY
OFFICIAL RECORDS